

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JAMES BROADHEAD, )  
                          )  
Plaintiff,            )  
                          )  
v.                     )   Case No. 2:22-cv-00326-RDP-JHE  
                          )  
                          )  
OFFICER McELMORE, et al., )  
                          )  
Defendants.            )

**MEMORANDUM OPINION**

Plaintiff James Broadhead filed a *pro se* complaint under 42 U.S.C. § 1983, alleging violations of his rights under the Constitution or laws of the United States. (Doc. 1). On October 31, 2022, the Magistrate Judge entered a Report and Recommendation recommending the court dismiss this action pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief may be granted. (Doc. 5). Although the Magistrate Judge advised Plaintiff of his right to file written objections within 14 days, the court has not received any objections.

After careful consideration of the record in this case and the Magistrate Judge's Report and Recommendation, the court **ADOPTS** the Report and **ACCEPTS** the Recommendation. Consistent with that recommendation and 28 U.S.C. § 1915A(b)(1), this action is due to be dismissed without prejudice for failing to state a claim upon which relief may be granted.

A final judgment will be entered.

**DONE** and **ORDERED** this November 28, 2022.



R. DAVID PROCTOR  
UNITED STATES DISTRICT JUDGE